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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)	No. CR-12-0090 RS
)	CR-12-0156 RS
12 Plaintiff,)	
)	STIPULATION AND [PROPOSED]
13 v.)	ORDER CONTINUING STATUS
)	DATE FROM AUGUST 28, 2012 TO
14 JOSE ESCALERA-AGUILERA aka PABLO)	OCTOBER 9, 2012 AND EXCLUDING
15 PEREZ-ANGUIANO,)	ADDITIONAL TIME FROM AUGUST
)	28, 2012 TO OCTOBER 9, 2012
16 Defendant.)	

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18 **STIPULATION**

19 The Court previously referred defendant for a competency hearing. With the stipulation of the
20 parties, U.S. Pretrial Services has selected an evaluator who will evaluate defendant by mid-
21 September. The parties thus propose that the matter be continued to October 9, 2012. The parties
22 also agree that the time between August 28, 2012 and October 9, 2012 should be excluded under the
23 Speedy Trial Act in order to allow the competency examination to proceed and for effective
24 preparation of counsel, 18 U.S.C. § 3161(h)(1)(A) and (h)(7)(A) and (h)(7)(B)(iv), and the ends of
25 justice served by granting such a continuance outweigh the best interests of the public and the
26 defendant in a speedy trial.

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SO STIPULATED.

Dated: 8/27/12

MELINDA HAAG
United States Attorney

/s/
J. MARK KANG
Special Assistant United States Attorney

Dated: 8/27/12

/s/
SHAWN HALBERT
Attorney for Defendant

1 **ORDER**

2 For the reasons stated above, the next status date shall be continued from August 28, 2012 to
3 October 9, 2012 at 2:30 p.m.

4 IT IS FURTHER ORDERED that the time between August 28, 2012 and October 9, 2012
5 should be excluded under the Speedy Trial Act in order to allow the competency examination to
6 proceed and for effective preparation of counsel, 18 U.S.C. § 3161(h)(1)(A) and (h)(7)(A) and
7 (h)(7)(B)(iv), and the ends of justice served by granting such a continuance outweigh the best
8 interests of the public and the defendant in a speedy trial.

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10 SO ORDERED.

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13 DATED: 8/27/12



14 THE HONORABLE RICHARD SEEBORG
15 United States District Judge
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